

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

COMMONWEALTH OF
MASSACHUSETTS, *et al.*,

Plaintiffs,

v.

Civil Action No. 25-CV-10338-AK

NATIONAL INSTITUTES OF
HEALTH, *et al.*,

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS
PAGES**

Pursuant to Local Rule 7.1(b)(4), Defendants respectfully move the Court to allow the Defendants to exceed the page limitation set by Local Rule 7.1(b)(4) by no more than twenty pages for Defendants forthcoming opposition to Plaintiffs' motion for a temporary restraining order. Defendants conferred with counsel for Plaintiffs who indicated that they do not oppose the request.

Good cause exists for this request. Plaintiffs' thirty-page memorandum in support of their motion asserts that Defendants' Rate Change Notice violates the Administrative Procedure Act in multiple respects. Defendants assert that the additional pages are necessary to fully set forth argument in opposition to Plaintiffs' motion.

Respectfully submitted,

BRETT A. SHUMATE
Acting Assistant Attorney General

LEAH B. FOLEY
United States Attorney

BRIAN C. LEA
Deputy Associate Attorney General

Dated: February 12, 2025

/s/ Marc S. Sacks
BRIAN C. LEA (Ga. Bar No. 213529)
Deputy Associate Attorney General
MARC S. SACKS (Ga. Bar No. 621931)
Deputy Director
KEVIN P. VANLANDINGHAM (NY Reg
No. 4741799)
Assistant Director
THOMAS PORTS (Va. Bar No. 84321)
Trial Attorney
U.S. Department of Justice
Civil Division
Corporate/Financial Section
P.O. Box 875
Ben Franklin Stations
Washington D.C. 20044-0875
Tel: (202) 307-1104
Email: marcus.s.sacks @usdoj.gov
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: February 12, 2025

/s/ Marc S. Sacks
Marc S. Sacks